

## REMARKS

Claims 1-8 and 61-64 are allowed. The Examiner is thanked for the allowance.

Claims 15-17, 28-30, 33-35, 41-43, 47-49, 51-53, 57-59 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form.

Claims 9, 10, 14, 18-21, 25-27, 31, 32, 36-40, 44-46, 50, 54-56, and 60 stand rejected under 35 USC §102(e) as being allegedly anticipated by Arimilli (US 6,275,502).

### **Changes in the Claims:**

Claims 9, 14, 27, 32, 40, 46, 50, and 56 have been amended to further particularly point out and distinctly claim subject matter regarded as the invention. No new matter has been added.

The limitation of “eliminating at least one power up cycle and one power down cycle by transmitting the transmission packet” in Allowed Claims 1-8 and 61-64 has been incorporated in Claims 9, 14, 27, 32, 40, 46, 50, and 56.

### **Rejection under 35 USC §102(e) – claims 9, 10, 14, 18-21, 25-27, 31, 32, 36-40, 44-46, 50, 54-56, and 60**

Claims 9, 10, 14, 18-21, 25-27, 31, 32, 36-40, 44-46, 50, 54-56, and 60 stand rejected under 35 USC §102(e) as being allegedly anticipated by Arimilli (US 6,275,502). This rejection is respectfully traversed.

A claim must be anticipated for a proper rejection under §102(a), (b), and (e). This requirement is satisfied “only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference”; see MPEP §2131 and *Verdegaal Bros. V. Union Oil*, 814 F.2d 628, 2 USPQ2d 1051 (Fed. Cir. 1984). A rejection under §102(b) may be overcome by showing that the claims are patentably distinguishable from the prior art; see MPEP §706.02(b).

Arimilli describes multiplexing a high priority data with a low priority data.

In contrast, the presently claimed invention claims the limitation of “eliminating at least one power up cycle and one power down cycle by transmitting the transmission

packet.” Arimilli does not teach or suggest “eliminating at least one power up cycle and one power down cycle by transmitting the transmission packet.”

The presently claimed invention is, accordingly, distinguishable over the cited reference. In the view of the foregoing, it is respectfully asserted that claims 9, 10, 14, 18-21, 25-27, 31, 32, 36-40, 44-46, 50, 54-56, and 60 are now in condition for allowance.

**Conclusion**

For all of the above reasons, applicants submit that the amended claims are now in proper form, and that the amended claims all define patentable subject matter over the prior art. Therefore, Applicants submit that this application is now in condition for allowance.

**Request for Allowance**

It is believed that this Amendment places the above-identified patent application into condition for allowance. Early favorable consideration of this Amendment is earnestly solicited.


**Invitation for an Interview**

If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below.

Respectfully submitted,

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